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THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE

<input type="checkbox"/> NEW <input type="checkbox"/> INTERIM <input checked="" type="checkbox"/> REVISED			SUBJECT		
EFFECTIVE DATE 1/23/16		*TERMINATION DATE / /		PRE-HEARING DETENTION AND PUNITIVE SEGREGATION STATUS INMATES	
CLASSIFICATION # 4501R-D	SUPERSEDES 4501R-C	DATED 9/16/15	APPROVED FOR WEB POSTING <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DISTRIBUTION A	PAGE 1 OF 30 PAGES
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER  MARTIN J. MURPHY, CHIEF OF DEPARTMENT SIGNATURE			AUTHORIZED BY COMMISSIONER  JOSEPH PONTE SIGNATURE		

I. PURPOSE



The purpose of this directive is to establish New York City Department of Correction standards relating to inmates in Pre-Hearing Detention and Punitive Segregation status.

II. POLICY

The New York City Department of Correction (Department) shall:

- A. Use Pre-Hearing Detention and Punitive Segregation as the most restrictive security statuses that can be assigned to an inmate.
- B. Maintain Punitive Segregation housing to segregate inmates who have demonstrated violent behavior or have violated the law or Inmate Rules while incarcerated within the NYC Department of Correction. In accordance with the procedures delineated in this order, inmates placed into Punitive Segregation or Pre-Hearing Detention status will be held under lock-in for up to twenty-three (23) hours a day, except when participating in daily recreation or other mandated services.
 1. Inmates whose disciplinary hearings have been adjudicated and have been found guilty, receiving a specific sentence, shall be placed into punitive segregation.
 2. Inmates who are under investigation for, or are being charged with the commission of a "serious violation," and whose behavior poses a significant threat to the safety and good working order of the facility shall be placed into Pre-Hearing Detention status.



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III. DEFINITIONS

- A. **PSEG Service Request Tracking Application:** The PSEG Request Tracking Application is a tool used by the Department to track key statistics in the administration of the punitive segregation units in accordance with New York City Local Law 42 of 2014.
- B. **Punitive Segregation Unit (PSEG):** A housing unit consisting of cells designated to confine inmates who have been found guilty at a disciplinary hearing and sentenced to a period in Punitive Segregation as well as inmates who have been placed in Pre-Hearing Detention status in accordance with Directive 6500R-D, "Inmate Disciplinary Due Process."
- a. **Punitive Segregation I:** Inmates who are found guilty of violent Grade I infractions shall serve their sentences in Punitive Segregation I Units, where they may be locked in for up to twenty-three (23) hours per day.
 - b. **Punitive Segregation II:** Inmates who are found guilty of non-violent or Grade II infractions shall serve their sentences in Punitive Segregation II Units, where they shall be locked out for up to seven (7) hours per day.
 - c. **Restricted Housing Unit (RHU):** Restricted Housing Units are designated for inmates who have been found guilty of an infraction and sentenced to a disciplinary penalty imposing a term of punitive segregation or are in pre-hearing detention status and who cannot, because of their mental condition, be housed in a standard punitive segregation unit. In Restricted Housing Units, the New York City Department of Health and Mental Hygiene's (DOHMH) contracted health provider and the Department administer a mental health services and treatment program designed to assist inmate participants to assimilate back into general population or non-punitive segregation mental observation housing. Though inmates cannot opt out of assignment to an RHU, they are encouraged to participate in the non-mandatory three-level incentive program through which they can earn increased lock-out time and a reduction in their punitive segregation term upon successfully fulfilling all the requirements of the program.
- C. **Clinical Alternatives to Punitive Segregation (CAPS):** This housing unit is designated for inmates who have been found guilty of an infraction or are in pre-hearing detention status and who cannot be housed in a punitive segregation unit because they have been diagnosed with a serious mental illness. Mental Health staff must clear all inmates for CAPS housing prior to the inmates' transfer to CAPS.
- D. **Punitive Segregation Inmates:** The status designation of an inmate who, pursuant to Directive 6500R-D, was charged with and found guilty of committing a violation of

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III. DEFINITIONS (Cont.)

Department rules and subsequently placed in Punitive Segregation to serve a specific sentence of confinement imposed by an Adjudication Captain.

- E. Pre-Hearing Detention (PHD) Inmates - The status designation of an inmate who is under investigation for or is being charged with the commission of a serious violation of departmental rules and whose behavior poses a significant threat to the safety and security of staff or inmates or to the good order of the facility.



IV. PROCEDURES**A. ASSIGNMENT OF INMATES TO PRE-HEARING DETENTION STATUS****1. Criteria**

If an inmate is being considered for Pre-Hearing Detention Status, the receiving facility is required to transmit Form 4501-1, "Pre-Hearing Detention Transfer Report," along with Form 6500-C, "Notice of Pre-Hearing Detention," via facsimile to Operations Security Intelligence Unit (OSIU) immediately upon transfer and housing of the inmate. Both sending and receiving facility Tour Commanders are required to sign these forms prior to transmittal to OSIU.

Upon receipt of the aforementioned forms, OSIU shall make a final determination to either have the inmate remain in PHD or have the inmate transferred back to the previous housing location. That determination is based on the inmate's involvement in any of the following violations:

- a. Assault on Staff (including splashing incidents);
- b. Criminal Act (assault on civilian);
- c. Possession of scalpels, hobby blades, multiple weapons, including jail-made weapons, single edge razors, etc.;
- d. Serious incidents resulting in injury;
- e. Fights in congregate areas (yards, corridors, program areas);
- f. Riot;

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IV. PROCEDURES (Cont.)

- g. Barricade incident;
- h. Gang assaults (three or more acting in concert);
- i. Multiple participant inmate fights/melee; or
- j. Any other serious incident that threatens the safety and security of the Department as determined by OSIU or the Assistant Chief of Security.

2. Exclusions

Inmates precluded from assignment to Punitive Segregation housing and, by extension, PHD include:

- a. Adolescents;
- b. Inmates with serious mental or physical disabilities or conditions.

Note: An inmate who is excluded from punitive segregation at the time of an infraction due to age or health status shall not be placed in punitive segregation for the same infraction at a later date, regardless of whether the inmate's age or health status has since changed.



3. Authorization

- a. The Tour Commander may authorize the placement of an inmate into PHD status pursuant to the provisions defined in Directive 6500R-D.

Note: During non-business hours, the Department's Officer of the Day (OD) (not to extend below the rank of warden) must approve all transfers of inmates in pre-hearing detention status to an RHU before facility uniformed staff may effectuate the transfer.

- b. Placement in PHD is authorized for no more than seven (7) business days at which time a decision on placement in punitive segregation must be rendered or the inmate shall be placed back in his/her original housing area.

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Note: Should an inmate be placed in PHD because of a Grade II or nonviolent infraction, he/she shall be locked out at least seven (7) hours per day.



4. Mental Health Clearance

- a. Prior to placing an inmate into PHD status, the Tour Commander shall ensure that a 'QINQ' Inmate Information System inquiry is made to ascertain whether the inmate is known to Mental Health. The indicator is an "M" which is located at the end of the inmate's book & case number.
- b. If the inmate does not have an "M" indicator at the time of processing, then a Mental Health evaluation is not required unless the inmate has been in Department custody for less than five days.
- c. If the inmate has an "M" indicator or has been in Department custody for less than five days, an evaluation by Mental Health will be required. The Tour Commander will initiate the process by completing Part 1 of Form 4501B, "Pre-Hearing Detention/Lock-Down Clearance Report." Mental Health shall be notified immediately and an evaluation of the inmate requested. The results of the evaluation will be noted in Section II of Form 4501B by the Mental Health staff. With limited exceptions, the review shall take place at the facility housing the inmate. If there are no Mental Health professionals on duty, the Tour Commander shall refer to Section IV.A.4.h. of this Directive for guidance.

Note: Clearance for PHD confinement by Mental Health staff is not necessary for those inmates who meet the criteria defined in Section IV.A.4.b.

- d. Pending the results of a Mental Health examination, the inmate shall remain isolated from all other inmates.
- e. The inmate is not required to be present at the Mental Health Unit for the process. However, Mental Health staff may request that the inmate be present for an interview in order to reach a determination. Under such circumstances, the inmate shall be promptly made available to Mental Health staff to expedite the process.
- f. In the event that Mental Health staff determines that an inmate must receive treatment and mental health supervision, Mental Health staff must complete Form MOTR-1, and follow the procedures described in Operations Order 22/93, "Mental Health Status and Mental Observation

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IV. PROCEDURES (Cont.)



Transfer," and will work with the Deputy Commissioner for Health and Mental Health Services, or his/her designee, to develop an individual supervision and treatment plan that will result in:

- i. The inmate being placed into Punitive Segregation Unit;
- ii. The inmate being placed in a Restricted Housing Unit (RHU);
- iii. A commitment to a psychiatric hospital; or
- iv. An alternative equally appropriate placement.

Note: Only time spent in the Punitive Segregation Unit or RHU will count toward service of a sentence to punitive segregation confinement.

- g. A copy of the completed clearance request must be placed in the inmate's medical/psychiatric and legal folders regardless of the outcome of the evaluation.
- h. The following procedures shall be adhered to in the event that Mental Health staff is not on duty in the facility at the time clearance by Mental Health is required.
 - i. ALL FACILITIES EXCEPT VCBC
 - A. The inmate shall be isolated from other inmates by being secured in a holding pen in the facility Intake Area pending the arrival of Mental Health.
 - B. Unless Mental Health has previously indicated that the inmate is in need of constant supervision, the Intake supervisor shall ensure that the inmate is monitored by staff at intervals no greater than fifteen (15) minutes and the observations are noted in the Intake Logbook.
 - C. The clearance request must be promptly presented to Mental Health staff upon their arrival at the facility.
 - ii. VCBC
 - A. Inmates designated for PHD housing shall, while awaiting a clearance by Mental Health, be secured in an Intake holding pen in the manner prescribed in Section IV.A.3.f.i. However, the Tour Commander may elect to transfer the inmate to

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IV. PROCEDURES (Cont.)

AMKC if a determination is made that Mental Health staff will not be available to clear the inmate within eight (8) hours of authorizing placement of the inmate in PHD housing. The Tour Commander at AMKC must be notified of any such pending transfer.

- B. The VCBC Tour Commander shall ensure the following documents accompany the inmate to AMKC:
 1. Form 4501A, "Pre-Hearing Detention Transfer Report," with Section I completed in its entirety;
 2. Form 4501B, "Pre-Hearing Detention/Lock-Down Clearance Report," with Part I completed in its entirety; and
 3. Any other document relative to the inmate's commitment or condition of confinement.
- C. The AMKC Tour Commander must ensure that the clearance request is immediately forwarded to Mental Health upon the inmate's arrival at the facility. The inmate shall be made available to Mental Health staff only if requested.
- D. Upon receiving clearance by Mental Health to place the inmate in a lock-down status, the inmate will be asked to sign Form 6500C, "Notice of Pre-Hearing Detention," given a copy of the form, and then promptly transferred to an appropriate Punitive Segregation Unit housing facility.
- E. In the event that Mental Health determines that the inmate must receive treatment and Mental Health supervision, the AMKC Tour Commander shall refer to the procedures prescribed in Section IV.A.4.f of this Directive for guidance.
- F. The AMKC Tour Commander shall inform the VCBC Tour Commander of the outcome of the clearance request and the facility in which the inmate is to be housed.
- G. Regardless of the outcome of the clearance request, it shall be the responsibility of the VCBC Tour Commander to ensure that an infraction (Form 6500A) describing the offense that

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IV. PROCEDURES (Cont.)

initiated the inmate's placement into PHD status be promptly forwarded to the facility housing the inmate.

- i. A copy of the completed clearance request must be placed in the inmate's medical/psychiatric and legal folders regardless of the outcome of the evaluation.

5. Pre-Hearing Detention Forms

The facility initiating the designation of an inmate into Pre-Hearing Detention shall complete the following forms in the manner prescribed below:



a. Form 4501A, "Pre-Hearing Detention Transfer Report"

- i. Section I - Upon authorizing the placement of an inmate into PHD, the Tour Commander shall ensure that Section I of the form is properly completed and then endorse the document.
- ii. Section II - The Tour Commander of the facility that subsequently confines the inmate in Punitive Segregation housing shall ensure that Section II of the report is completed and then endorse that section. For tracking and monitoring purposes, Form 4501A shall then be promptly faxed to the office of the Assistant Chief of Security.
- iii. The remaining sections of the report shall be completed at the designated Punitive Segregation facility housing the PHD inmate. A copy of the completed form shall be placed in the inmate's legal folder upon the adjudication of the inmate's infraction. The original shall be maintained in the Deputy Warden for Security office for future reference.

b. Form 4501B, "Pre-Hearing Detention Lock-Down Clearance Report"

- i. Section I - To be completed when the process to place the inmate into PHD has been initiated and clearance by Mental Health is required.
- ii. Section II - To be completed by Mental Health.

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iii. The original form shall be forwarded to the designated Punitive Segregation facility that will confine the PHD inmate. Copies shall be forwarded in the following manner:

- A. One copy to the inmate's legal folder;
- B. One copy to the Adjudication Captain for reference during the adjudication of the inmate's infraction;
- C. One copy to the Deputy Warden for Security (in the facility of occurrence of infraction);
- D. One copy to Mental Health Unit; and
- E. One copy to the Operations Security Intelligence Unit.

6. PHD Inmate transfers to Punitive Segregation Units



- a. All inter-facility PHD transfers shall be accomplished in a manner that is consistent with the procedures outlined in Operations Order 05/92, entitled "Processing and Monitoring Inter-Facility Transfers."
- b. Inmates shall not be transferred to a Punitive Segregation housing facility unless accompanied with the following:
 - i. Form 4501A with Section I completed in its entirety;
 - ii. Form 4501B with Sections 1 and 2 completed (only for those inmates requiring clearance);
 - iii. Form 6500C completed in its entirety (reference Directive 6500R-D); and
 - iv. Any other document relative to the inmate's commitment or condition of confinement (legal folder).

B. ASSIGNMENT OF INMATES TO PUNITIVE SEGREGATION STATUS

1. Criteria

Adult inmates who, as a result of a disciplinary hearing pursuant to Directive 6500R-D, have been found guilty of committing a violation of Department

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IV. PROCEDURES (Cont.)

Inmate Rules and received a specific sentence of confinement in Punitive Segregation may be transferred to a Punitive Segregation Unit provided that:

- a. On the date of his/her disciplinary hearing decision, the inmate has been in Department custody for five (5) or more days and is not known to Mental Health (i.e., no "M" following the Book and Case number). The inmate shall be transferred to a Punitive Segregation Unit without delay; or
- b. Clearance to house the inmate in a Punitive Segregation Unit has been obtained from Mental Health if the inmate has been in Department custody for less than five (5) days on the date of his/her disciplinary hearing decision or is known to Mental Health ("M" follows the inmate's Book and Case number); or
- c. The inmate is in Pre-Hearing Detention and has been cleared for lock-down in a Punitive Segregation Housing Unit (reference Section IV.A.3.) within ten (10) days prior to his/her disciplinary hearing decision.



2. Mental Health Clearance

- a. The hearing officer assigned to assist the Adjudication Captain shall complete all the information required in Section 1A and B of Form MHR-1R, entitled "Mental Health Review for Punitive Segregation Housing" for all inmates in need of such clearance as defined in Section IV.B.1.b.
- b. Additionally, the hearing officer shall check off one of three statements on Section 1C of Form MHR-1R that best describes the inmate's mental health status at the time of the disciplinary disposition.
- c. If either statement number 1 or 2 has been checked off, the Hearing Officer shall complete Section 1D of the form and forward it to the Clinic Captain at the end of his/her tour. The Clinic Captain shall forward the form to the Mental Health Unit Chief or designee who shall indicate if the inmate may be placed in Punitive Segregation housing in Section II.

When completed, the form shall be returned to the Clinic Captain who shall forward the form to the Deputy Warden for Security.

- d. If statement number 3 in Section 1C of Form MHR-1R has been checked off, the Hearing Officer shall complete Section 1D of the form and forward it to the Deputy Warden of Security at the end of his/her tour.

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V. PROCEDURES (Cont.)

- e. The Deputy Warden for Security shall ensure that at the conclusion of the day's disciplinary hearing activities, Form 6006E, entitled "Notification of Inmate Transfer" is prepared identifying all inmates who are not "Known to Mental Health" and have received Punitive Segregation time. This list shall be forwarded to the facility's Mental Health Unit Chief for their information.

A copy of Form 6006E shall be kept on file in the Security Office for future reference.



- f. The Deputy Warden for Security shall review the form, affix his/her signature and indicate the date of the review in Section III. The Deputy Warden for Security shall retain a copy for his/her records until such time as the inmate is transferred to Punitive Segregation Housing or discharged from custody. Copies of the completed form shall be secured and maintained in alphabetical order for future reference.
- g. If the inmate is transferred to Punitive Segregation housing, the original form shall be forwarded to the facility Movement Office to be placed in the inmate's legal folder. If the inmate is not transferred to such housing, the form shall be placed in the inmate's legal folder for future reference.
- h. Inmates shall not be accepted for housing in a Punitive Segregation Unit unless accompanied with an inmate folder containing a copy of the completed "Mental Health Review for Punitive Segregation Housing" Form indicating that the inmate be placed into such housing.

3. Administering Punitive Segregation Sentences

In accordance with Board of Correction guidelines, the Department shall ensure that inmate placement in Punitive Segregation Units adheres to the following:

- a. An inmate may not serve more than thirty (30) consecutive days in Punitive Segregation. An inmate who has served thirty (30) consecutive days in punitive segregation must be released from punitive segregation for at least seven (7) days before the inmate may be returned to punitive segregation. However, inmates who have committed a serious assault on staff may be sentenced up to sixty (60) consecutive days of punitive segregation.



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- i. The Chief of Department or a designee must approve or disapprove in writing any punitive segregation sentence for a serious assault on staff that exceeds thirty (30) days. The written approval or disapproval shall be sent immediately to the inmate, to BOC, and to the contracted healthcare provider.
- b. An inmate may not serve more than sixty (60) days in Punitive Segregation in a six (6) month period unless the inmate has continued to engage in persistent, serious acts of violence, other than self-harm during or upon completion of the sixty (60) day period.
- i. In such instances, the Chief of Department must approve extension of the inmate's punitive segregation placement in writing stating why placement in a less restrictive setting has been deemed inappropriate or unavailable and why retaining the inmate in Punitive Segregation is necessary to ensure the safety of inmates or staff. The Department must immediately provide the Board of Correction and the Department of Health and Mental Hygiene with immediate notification containing an explanation of the security concerns presented by the inmate. Daily mental health rounds must be provided to inmates who serve more than sixty (60) days within a six (6) month period, and such rounds must be documented in writing.
- c. When an inmate's punitive segregation sentence exceeds forty-five (45) days, the Chief of Department or a designee shall complete a review of the sentence forty-five days after its commencement to determine whether the inmate could safely be placed in an available alternative housing unit for the remainder of the sentence. The decision, and the reasoning supporting it, shall be stated in writing and immediately sent to the inmate, to the BOC, and to the contracted healthcare provider.
- d. Daily mental health rounds shall be provided to inmates housed in punitive segregation who have been held there longer than thirty (30) consecutive days or have served more than sixty (60) days within a six (6) month period. Such rounds must be documented in writing.

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IV. PROCEDURES (Cont.)**4. Punitive Segregation Discharges**



- a. OSIU must be notified at least five (5) business days prior to the expiration of a former PHD inmate's Punitive Segregation sentence and subsequent discharge.
- b. In turn, OSIU will review the circumstances leading to the inmate's initial placement into PHD as well as his/her past behavior. Based on that review, OSIU shall forward its recommendation as to the type of housing suitable for the inmate upon his/her release from Punitive Segregation to the Assistant Chief of Security. If placement in ESH is recommended, placement procedures must be followed in accordance with Directive 4497 "Enhanced Supervision Housing."
- c. After taking OSIU's recommendation into consideration, The Assistant Chief of Security or designee shall identify the level of custody required to address the inmate's behavioral concerns and inform OSIU.
- d. OSIU will then direct the facility to transfer the inmate accordingly on the day of his/her discharge from Punitive Segregation.
- e. All inmates shall be promptly discharged from Punitive Segregation housing upon completion of their Punitive Segregation sentences and transferred to an appropriate facility in a manner consistent with Operations Order 05/92, entitled "Processing and Monitoring Inter-Facility Transfers."

C. INMATE RIGHTS

The Adjudication Captain will advise the infracted inmate that he/she has the right to make statements.

1. In cases where the infraction in question could lead to a subsequent criminal prosecution, the Adjudication Captain must inform the inmate that while the proceeding is not a criminal one, the statements made by the inmate may be used against him/her in a subsequent criminal trial. The inmate must also be informed that he/she may remain silent, and that his/her silence will not be used against him/her.

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2. If the inmate has been given Miranda warnings as a result of the incident, the Adjudication Captain shall inquire if the inmate wishes to make any statements in light of these warnings.



D. OPERATING PROCEDURES

1. **ADMISSION PROCEDURES FOR PRE-HEARING DETENTION AND PUNITIVE SEGREGATION STATUS INMATES**

- a. **Admission to a Punitive Segregation Unit**

- i. Inmates shall be pedigreed and strip searched in accordance with the provisions outlined in Directive 4508R-E, entitled "Control of and Search for Contraband." In addition, inmates shall be required to submit to the three-point search (strip search, magnetometer, and hand-held transfriskers) procedures.
- ii. The inmate's property shall be searched and she/he will be permitted to retain the following (unless contraindicated by Mental Health):
 - Two (2) pens (commissary issue only);
 - Ten (10) legal stamped envelopes;
 - Six (6) legal pads;
 - One (1) afro pick (non-metal);
 - One (1) pocket comb (commissary issue only);
 - One (1) bath soap bar (commissary issue only);
 - One (1) toothbrush (Department issued);
 - One (1) toothpaste (commissary issue only);
 - One (1) deodorant (commissary issue only);
 - One (1) shaving cream (commissary issue only);
 - One (1) drinking cup (Department issued);



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- Legal papers;
 - Any items prescribed by the Health Care provider such as hearing aids, dentures, glasses, etc.;
 - Reading material (fifteen (15) items, including religious materials);
 - Four (4) changes of underwear;
 - Two (2) thermal undershirts (facility issued only);
 - Four (4) pairs of socks;
 - One (1) pair of shoes or sneakers;
 - One (1) pair of shower slippers; and
 - Feminine Hygiene items (female inmates only).
- iii. All non-permissible jewelry and other valuables will be receipted for and safeguarded in the cashier/property office. Upon being discharged from a Punitive Segregation Housing Unit, inter-institutional discharges will have their property returned to them unless they are subjected to restrictions imposed by Mental Health staff.
- iv. Non-permissible items other than jewelry and valuables shall be confiscated and receipted. The receipt shall be completed in duplicate and signed by the searching officer and the inmate. The original shall be placed with the confiscated items and the copy given to the inmate.
- Note: Inmates housed in RHU shall not be allowed belts, ties, shoelaces or other items that would pose a risk to the inmate's well being.
- v. All inmates housed in either Punitive Segregation or RHU will be required to wear Department issued jumpsuits and footwear. During the admission process, inmates will be issued three (3) jumpsuits.

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All jumpsuits will be inspected by staff prior to issuance and damaged jumpsuits will not be issued or utilized.

- vi. All other personal clothing shall be receipted in triplicate and securely stored. The original receipt will remain on file in the facility. One copy of the receipt will be placed in the inmate property bag; the second copy will be given to the inmate.
 - vii. Upon admission to a Punitive Segregation Unit or RHU, inmates shall be issued the following linen and bedding unless contraindicated by Mental Health Staff:
 - One (1) washcloth;
 - One (1) pillow;
 - Two (2) sheets (excluding RHU);
 - One (1) pillowcase;
 - Two (2) towels;
 - One (1) mattress; and
 - Sufficient blankets to provide comfort and warmth; or
 - Two (2) Suicide Prevention Blankets (in lieu of standard blankets for inmates on suicide watch only).
 - viii. The provisions outlined in Section IV.D.1.a.ii through vii may be superseded by Directive 4521 "Suicide Prevention," if the inmate is determined by Mental Health to be a suicide risk.
- b. Inmate Property/Secure Storage
- i. The facility shall provide for secure storage of inmate property. Inmates shall be afforded access to their property for the purpose of changing their clothing for court appearances or sending clothes out of the facility, etc. Clothing items removed for a court appearance must be returned after the inmate's return from his scheduled court appearance.

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IV. PROCEDURES (Cont.)

All excess permissible inmate property will be inventoried and secured in the Cashier's Office in a manner consistent with Directive 2307R "Surrender and Safekeeping of Inmate Property." The inmate will be advised to forward excess property home.

c. Orientation

All inmates admitted to a Punitive Segregation Unit will receive an orientation session, which shall include the rules governing inmate conduct in the facility and the Punitive Segregation Unit. In addition, each inmate will be advised of the service schedules for the Punitive Segregation Unit.

d. Attorney telephone number(s)

Inmates shall, upon their admission, provide the telephone number(s) for their attorney(s). The telephone number(s) shall be forwarded to the Office of the Deputy Warden for Security and maintained on file until the inmate is discharged from the Punitive Segregation Unit.

2. SECURITY

Inmates in a Punitive Segregation Unit shall be considered to be in the most restrictive security status. Inmates placed in a Punitive Segregation I Unit will only be allowed out of their cells for the purposes and times described herein.



a. Food Slot Security

- i. The purpose of the food slot device is to prevent inmates from disturbing the institutional feeding by placing their hands in the food slots.
- ii. All food slots and covers must be closed and locked, except when being utilized. If an inmate attempts to disrupt the feeding by placing his/her hand(s) in the food slot, the staff member shall order the inmate to remove his/her hand(s). If the inmate refuses to remove his/her hand(s) the staff member shall notify the area supervisor.

b. Inmate Searches

- i. All inmates will be searched whenever they enter and exit the confines of their respective housing areas or while being escorted to

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IV. PROCEDURES (Cont.)

another secured area within the housing area. This will include shower stalls, interview rooms and property storage areas.

- ii. The "Three Point" security search procedure shall be conducted on all inmates who are scheduled to be escorted as follows:

- A. Out of their respective housing areas;
- B. To a recreational activity, congregate religious service, or visits; and
- C. To the housing area interview rooms for the purpose of having an interview with any person(s) whether uniformed or civilian.

- iii. The "Three Point" security search shall be conducted in a designated search area in each housing area. The search shall consist of a(n):

- A. Strip search (without a body cavity search);
- B. Walk-through the Magnetometer; and
- C. Inspection utilizing hand held transfrisker.



c. Living Quarters Searches

The Commanding Officer shall ensure that Punitive Segregation Units are incorporated into the facility's living quarters search schedule to ensure that these areas are searched on a regular and frequent basis. Should it become necessary to conduct an emergency search, the Tour Commander ordering the search shall submit a written report to the Deputy Warden of Security detailing the reason the search was ordered and the results of the search. Living quarters searches shall be conducted in a manner consistent with Directive 4508R-E, entitled "Control of and Search for Contraband."

d. Restraint and Escort Policy

All inmates housed in Punitive Segregation I or RHU shall be handcuffed behind the back (palms out) prior to exiting their cell unless contraindicated by medical staff. Alternative means of restraint must be approved by the Deputy Warden for Security and

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IV. PROCEDURES (Cont.)

the facility's site medical director prior to implementation. Inmates shall remain handcuffed while being moved to and from all areas within the facility. Only when inmates have reached their destination may the handcuffs be removed (unless the inmate's restraint status specifically indicates otherwise).

- i. The inmate shall be advised that any refusal to comply with the security restraint procedure shall be deemed a refusal to attend the program or service for which the inmate is exiting his/her cell. Notification to the housing area supervisor shall be made of any refusal to comply and all refusals shall be clearly documented in the housing area logbook.
- ii. The placement of an inmate in either Pre-Hearing Detention or Punitive Segregation does not alter or supersede the placement of the inmate in enhanced restraint status pursuant to the provisions of Directive 4518R-B "Red ID Status and Enhanced Restraint Status Due Process" and Operations Order 02/13 "Security Restraints for Transporting Violent Inmates, (Red ID card, Restraint Status)."

However, inmates that are designated as Pre-Hearing Detention or Punitive Segregation shall be housed in a Punitive Segregation Housing Unit as opposed to being transferred to a restraint unit.



3. PROGRAMS AND SERVICES**a. ATTORNEY VISITS**

Inmates shall be afforded the opportunity to receive attorney visits in a manner consistent with Directive 6000R-A, "Attorney, Legal and Official Visits" (or its successor). If the inmate agrees to have the visit, he/she shall have one arm cuffed to a cuffing bar during the visit, unless an attorney requests an alternative restraint, and there is good cause for the inmate to be temporarily restrained in another manner. Approval of such a request shall be at the facility's discretion and be made after an on-site review by a supervisor.

b. COMMISSARY

Commissary will be made available weekly and will be limited to the items indicated in Section iii below. In the event that an inmate misses commissary because of court, an attorney visit, a regular

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IV. PROCEDURES (Cont.)



visit, a medical visit, or appointment or is a new admission to a Punitive Segregation Housing Unit, commissary will be afforded on the next business day. Indigent inmates shall be afforded personal hygiene items in accordance with Directive 4000, entitled "Inmate Personal Hygiene."

- i. Commissary Request Slips shall be filled out by those inmates in need of the permissible items and collected by the housing area officer on the day prior to the assigned commissary day.
- ii. All slips shall be delivered to the facility Commissary for processing. The following are the only items that may be purchased:
 - Two (2) pens
 - One (1) bar bath soap
 - Ten (10) stamps
 - Ten (10) legal stamped envelopes
 - One (1) toothpaste
 - Six (6) legal pads
 - One (1) shaving cream
 - One (1) pocket comb
 - One (1) deodorant
- iii. The requested items will be bagged and delivered to the individual inmates while they are locked in their cells. In the event an inmate is out to court, the packages will be delivered on the next business day.
- iv. The inmates shall be required to sign a receipt for delivered articles. All hygiene articles found to be in excess of the permissible amount shall be confiscated, receipted, and placed in the inmate's property for safekeeping.

c. CONGREGATE RELIGIOUS SERVICES

Inmates shall be afforded the opportunity to attend a congregate religious service of their choice as determined by the religious preference indicated on the inmate's cell locator card. The service shall be carried out in a manner consistent with Directive 3261, entitled "Access to Religious Programs and Practices."

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IV. PROCEDURES (Cont.)

All requests to attend services and all attendance shall be recorded in the PSEG Service Request Tracking application.

d. EDUCATIONAL SERVICES

Inmates who are eligible to participate in educational services provided by the Department of Education of the City of New York shall not be denied such access on the basis of their PHD or Punitive Segregation status. Cell study educational services shall be provided in a manner consistent with Directive 3503R "Inmate Access to Board of Education Services."

e. HAIRCUTS

Pursuant to Directive 4004R-B "Environmental Health Barbershops/Beauty Parlors," inmates shall be permitted to have their hair cut/styled as regularly as needed.

f. INMATE CORRESPONDENCE

Inmates housed in a Punitive Segregation Unit shall be afforded the opportunity to receive and send regular and legal mail in the same frequency as inmates housed in general population. All inmate correspondence will be handled strictly in accordance with the provisions of Directive 4001R-B entitled, "Inmate Correspondence."



g. INMATE GRIEVANCE

Inmates housed in Punitive Segregation will have access to the inmate grievance mechanism. Grievance Forms shall be made available upon request to a housing officer. All grievances shall be investigated and processed in a manner consistent with Directive 3376 "Inmate Grievance and Request Program."

h. INMATE PACKAGES

Inmates shall be allowed to send or receive packages consistent with the provisions defined in Directive 4002R-B "Receiving and Sending Inmate Packages." However, items shall be subject to the limitations indicated in Section IV.E.1.a of this Directive. Items not permitted shall be stored with the inmate's property.

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IV. PROCEDURES (Cont.)**i. LAUNDRY SERVICES**

Inmates shall be provided weekly laundry services for their personal clothing. Linen for inmates will be exchanged weekly, more often if needed. Additionally, all inmates housed in a Punitive Segregation Unit shall have the opportunity to have two (2) jumpsuits exchanged on a weekly basis. Procedures for these Department provided services will be prominently posted in the housing area.

j. LAW LIBRARY

Inmates shall be afforded the opportunity to access legal services afforded by the facility's Law Library five (5) days per week, Tuesday through Saturday. Inmates wishing to participate shall be permitted to sign the "Law Library Sign-Up Sheet" for library services the following day.

The legal coordinator shall provide the legal services requested (including access to a Notary Public) to the inmate at his/her cell.

All requests to receive legal services and all services provided shall be recorded in the PSEG Service Request Tracking application.



A typewriter for the preparation of legal work shall be made available for those inmates who request it.

k. MEALS

i. Inmates in Punitive Segregation areas shall receive the same meals and shall be served during the same time frame as general population. Inmates in Punitive Segregation I shall eat their meals while locked in their cells. Inmate in Punitive Segregation II may eat their meals in the dayroom provided the inmate is locked out at the time the meal is served. All meals will be served on disposable trays with disposable utensils. Directives 3253 entitled, "Therapeutic Diet," and 3254R-A entitled, "Preparation/Processing of Kosher/Halal Meals," shall be referred to when processing an inmate's request for a special diet.

ii. Under the direct supervision of the Housing Area officers, the designated inmate help will serve all meals. Upon the conclusion of the feeding, the officer shall escort the inmate help to retrieve all

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IV. PROCEDURES (Cont.)

trays and eating utensils. Problems related to the feeding will immediately be referred to the area supervisor. Any kitchen food not consumed during the meal period shall be collected with the food trays and eating utensils.

I. MEDICAL/MENTAL HEALTH SERVICES

- i. Medical staff shall visually observe and communicate with the inmate at least once daily in the housing area (Monday through Friday) for the purpose of providing access to daily sick call and to assess the inmate's medical condition.
- ii. Medical staff will identify those inmates in need of additional treatment, and arrangements shall be made for those inmates to be brought to the facility clinic for additional medical or mental health evaluation and treatment.
- iii. Only in the event of an emergency or as directed by medical staff will an inmate be taken to the facility clinic.
- iv. All requests for medical/mental health services, and all services provided, shall be recorded in the PSEG Service Request Tracking application.



m. RECREATION

Inmates shall be afforded the opportunity to attend a recreation period outdoors for a period of at least one (1) hour daily exclusive of the time it takes to go to and return from the recreation area, seven (7) days per week. An inmate who requests recreation shall not be denied the opportunity to do so, unless the privilege was suspended as a result of a disciplinary hearing.

All recreation attendance shall be recorded in the PSEG Service Request Tracking application.

The route leading to the recreation area, as well as the recreation area itself, shall be inspected for security breaches prior to the commencement of any recreational activities. Any noted breaches shall be immediately reported to the Tour Commander.

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IV. PROCEDURES (Cont.)

Prior to the recreation session and upon his/her request, each inmate will be issued a facility jacket for his/her warmth.

n. SHOWERS

Inmates housed in a Punitive Segregation Unit shall be afforded the opportunity to shower and shave at least once daily. Inmates in a Punitive Segregation II area shall be permitted to shower during lock-out periods.

Inmates with a scheduled court appearance shall be permitted to shower and shave on the day of, and at a time prior to that court appearance.

A shower logbook shall be maintained in each Punitive Segregation Unit. The officer shall note the names of all the inmates who either:

- i. Receive a shower (the date and the time in and out of the shower must be indicated); or
- ii. Decline the opportunity to shower (the notation must indicate the refusal and the date and time of occurrence).

All showers taken shall be recorded in the PSEG Service Request Tracking application.

o. SOCIAL SERVICES



Staff assigned to Social Services shall canvass each Punitive Segregation Unit at least once weekly for the purpose of soliciting Social Service related assistance. In addition, inmates may request Social Service assistance by submitting interview slips, which shall be provided by the housing area staff. Officers shall position themselves in a manner that affords privacy at the cell front during any interview process without jeopardizing the security and well being of the Social Service staff.

Inmates in Punitive Segregation II may attend social services during the lock out period.

p. TELEPHONE CALLS

Personal Telephone Calls

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IV. PROCEDURES (Cont.)



Inmates in Punitive Segregation I will be permitted to make one personal telephone call each week. All telephone calls may be at least six minutes in duration. All inmates will complete their personal telephone call while locked in their assigned cells. This procedure shall be conducted between the hours of 0630 through 2030, seven (7) days per week. An inmate telephone logbook shall be maintained to record inmate telephone activities.

Inmates in Punitive Segregation II will also be permitted to make telephone calls during all lock-out periods in accordance with existing policy.

When the assigned officer has received a request by an inmate confined to Punitive Segregation to make their one personal telephone call, the following procedures shall be adhered to:

- a. An assigned officer will refer to the inmate telephone logbook to ascertain whether the inmate has received his entitled weekly personal telephone call. Each week commences on Sunday and ends on Saturday. If the officer's finding reveals that the inmate has already completed his/her weekly personal telephone call, the request may be denied and the inmate will be so informed.
- b. If the officer's findings reveal that the request is appropriate, the following procedure shall be followed:
 - i. All appropriate requests to make calls and all personal calls shall be recorded in the PSEG Service Request Tracking application.
 - ii. An assigned officer will ensure that there is a dial tone, the telephone will be placed into the jack nearest the inmate's cell and the telephone will be passed to the inmate.
 - iii. Upon the officer's observation of obvious conversation between inmate and the dialed party, the telephone call will be deemed initiated. There shall be no further monitoring of the call.

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IV. PROCEDURES (Cont.)

iv. The assigned Officer shall note in the inmate telephone logbook the inmate's name and the date and time the call was completed.

v. If an inmate cannot complete his/her telephone call on a prescribed tour, he/she will be given an additional opportunity to do so at a later time the same day but not later than 2030 hours. In the event that an inmate is out to court, upon his return he shall be given an opportunity to complete his telephone call but not later than 2030 hours.

i. **Attorney Telephone Calls**

Inmates shall not be restricted in their communication with an attorney or affiliated paraprofessionals. Telephone calls to the Legal Aid Society, State Commission of Correction, Board of Correction, Office of Compliance Consultants and the Department of Investigation shall be treated in the same manner as an attorney telephone call.

All attorney and law office telephone calls will be afforded from 0800 to 2000 hours daily.

Completed calls must be documented as an attorney telephone call in a telephone logbook as well as in PSEG Service Request Tracking application.

q. **VISIT PROCEDURES**

i. Inmates will be afforded visits in a manner consistent with the provisions of Directive 2007R-B, entitled, "Inmate Visit Procedures."



ii. All inmates will be escorted to and from their visits.

iii. All visits shall be recorded in the PSEG Service Request Tracking application.

4. **HOUSING AREA LOGBOOKS**

All housing areas shall maintain a logbook in a manner consistent with the provisions outlined in Directive 4514R-B, "Housing Area Logbooks." The

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IV. PROCEDURES (Cont.)

following logbook entries shall be recorded in addition to those prescribed in the Directive:

- a. Time sanitation started and completed;
- b. Name, rank or title, shield or ID number, and purpose of visit of all individuals entering the housing area;
- c. All inmate movement in and out of the area, including new admissions, courts, transfers, recreation, programs and any other movement not addressed in Directive 4514R-B "Housing Area Logbooks"
- d. Inmate meals, the time started, temperature checks, and the time completed;
- e. All security inspections; and
- f. Entries regarding the presence of inmate observation aides and their activities.

5. INMATE OBSERVATION AIDES



The procedures defined in Directive 4017R-A, entitled "Inmate Observation Aide Program," shall apply to all Punitive Segregation Unit housing areas. Inmate Observation Aides shall be assigned to each housing area on all tours. Their presence must be noted in housing area logbooks. If no Inmate Observation Aide is on duty, tours by the housing area officers shall occur every 15 minutes. All Inmate Observation Aides will wear tube mitts secured by the housing area officer and will be supervised by the same staff. Inmate observation aides shall not perform any additional duties (e.g., sanitation, food service).

Note: An additional officer will be assigned to the housing area in the absence of an Inmate Observation Aide and, as indicated above, tours shall occur every 15 minutes.

6. INMATE WORK CADRES

Inmates assigned to work cadres shall be supplied with jumpsuits while working in a Punitive Segregation Unit. Each inmate worker will be required to undergo a strip search with the use of a magnetometer prior to donning a jumpsuit. Inmates assigned to work cadres are not permitted to introduce any

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IV. PROCEDURES (Cont.)

item of personal property beyond the "B" gate of a housing area. All items shall be retained in the "A" station until the assignment is complete and the work cadre is departing the area. Inmate work cadres shall be supervised at all times.

7. SANITATION

All Punitive Segregation Units shall be maintained in a condition, which is clean, healthful, and safe.

Inmates housed in Punitive Segregation shall be responsible for the sanitation of their cells. They will be afforded the opportunity to thoroughly clean and sanitize their cells. Inmates shall receive appropriate cleaning supplies based on legitimate security concerns. There shall be no pictures allowed on the cell walls, windows, or doors and no food kept in the cells. Painting or writing on walls or doors is not permitted.

Sanitation of the common areas within Punitive Segregation I housing units shall be accomplished with inmates assigned to housing area work details. Under no circumstances shall inmates in Punitive Segregation I or Pre-Hearing Detention status be permitted to perform sanitation tasks in areas other than the cells to which they are assigned.



8. TOURS OF INSPECTION

At a minimum, every inmate housed in Punitive Segregation shall be observed at least once every 15 minutes at irregular intervals on each tour of duty by the officer assigned to make such observations. Such observations shall be recorded in the housing area logbook, in accordance with Directive 4514R-B "Housing Area Logbooks"

9. DATA REPORTING

In accordance with Board of Correction guidelines, the Department shall submit information related to punitive segregation to the Board of Correction every sixty (60) days.



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V. REFERENCES

- A. Directive 1251R, "Inmate Personal Laundry," dated 10/21/97.
- B. Directive 2007R-B, "Inmate Visit Procedures," dated 9/29/08 (as amended).
- C. Directive 2307R, "Surrender and Safekeeping of Inmate Property," dated 9/11/98 (as amended).
- D. Directive 3253, "Therapeutic Diet," dated 11/2/87.
- E. Directive 3254R-A, "Preparation/Processing of Kosher/Halal Meals," dated 5/1/06.
- F. Directive 3261, "Access to Religious Programs and Practices," dated 9/10/12.
- G. Directive 3376, "Inmate Grievance and Request Program," dated 9/10/12.
- H. Directive 3503R, "Inmate Access to Board of Education Services," dated 7/1/99 (as amended).
- I. Directive 4000, "Inmate Personal Hygiene," dated 7/1/79 (as amended).
- J. Directive 4001R-B, "Inmate Correspondence," dated 3/16/09 (as amended).
- K. Directive 4002R-B, "Receiving and Sending Inmate Packages," dated 5/15/09 (as amended).
- L. Directive 4004R-B, "Environmental Health Barbershops/Beauty Parlors," dated 3/12/08.
- M. Directive 4013RR, "Restitution for the Intentional Damage or Destruction of City Property," dated 5/20/91 (as amended).
- N. Directive 4017R-A, "Inmate Observation Aide Program," dated 6/18/14.
- O. Directive 4497, "Enhanced Supervision Housing," dated 2/19/15.
- P. Directive 4508R-E, "Control of and Search for Contraband," dated 5/15/09 (as amended).
- Q. Directive 4514R-C, "Housing Area Logbooks," dated 10/13/15.
- R. Directive 4518R-B, "Red ID Status and Enhanced Restraint Status Due Process," dated 3/11/13 (as amended).

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V. REFERENCES (Cont.)

- S. Directive 4521, "Suicide Prevention," dated 12/10/03 (as amended).
- T. Directive 6000R-A, "Attorney, Legal and Official Visits," dated 4/7/05 (as amended) or its successor.
- U. Directive 6500R-D, "Inmate Disciplinary Due Process," dated 1/23/16.
- V. Operations Order 5/92, "Processing and Monitoring Inter-Facility Transfers," dated 2/28/92 (as amended).
- W. Operations Order 22/93, "Mental Health Status and Mental Observation Transfer," dated 10/01/93.
- X. New York City Local Law 42 of 2014.



VI. ATTACHMENTS

- A. Form 4501A, "Pre-Hearing Detention Transfer Report."
- B. Form 4501B, "Pre-Hearing Detention Lock-Down Clearance Report."
- C. Form MHR-1R, "Mental Health Review for Punitive Segregation Housing."
- D. Form 6500C, "Notice of Pre-Hearing Detention."

VII. SUPERSEDES

- A. Directive 4501R-C, "Pre-Hearing Detention and Punitive Segregation Status Inmates," dated 9/16/15.

ATTACHMENT A

	CORRECTION DEPARTMENT CITY OF NEW YORK	
PRE-HEARING DETENTION TRANSFER REPORT		Form: 4501A Rev.: 08/15 Ref.: Dir. #4501R-C

SECTION - I

Facility: _____	Date of Transfer: _____
-----------------	-------------------------

INMATE INFORMATION

Last Name: _____	First Name: _____	DOC Admission Date: ____ / ____ / ____
Book & Case #: _____	NYSID #: _____	SRG Affiliation: _____
Infraction Date: ____ / ____ / ____	Infraction Charge: _____	Unusual Incident: <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, COD Number: _____

<input type="checkbox"/> CMC <input type="checkbox"/> Restraint Status <input type="checkbox"/> RED ID <input type="checkbox"/> Red Accompanying Card	REASON FOR TRANSFER <input type="checkbox"/> Stabbing/Slashing <input type="checkbox"/> Assault Resulting in Death or Serious Injury <input type="checkbox"/> Escape/Attempted Escape <input type="checkbox"/> Other (Describe): _____
--	---

Mental Health Status: Is inmate in DOC custody for less than five (5) days? <input type="checkbox"/> Yes <input type="checkbox"/> No Is inmate "Known to mental Health" <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes to either question, attach completed Form #4501B.
---	--

Prepared By: _____ / ____ / ____ <div style="display: flex; justify-content: space-between; font-size: small;"> Print Name Date </div> <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> Rank Shield # Signature </div>	Tour Commander: _____ / ____ / ____ <div style="display: flex; justify-content: space-between; font-size: small;"> Print Name Date </div> <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> Rank Shield # Signature </div>
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SECTION - II - TO BE COMPLETED UPON INMATE'S PLACEMENT INTO PUNITIVE SEGREGATION HOUSING

Receiving Facility: _____	Date/Time Housed: ____ / ____ / ____ Hrs.	Housing/Cell Location: _____
---------------------------	---	------------------------------

Prepared By: _____ / ____ / ____ <div style="display: flex; justify-content: space-between; font-size: small;"> Print Name Date </div> <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> Rank Shield # Signature </div>	Tour Commander: _____ / ____ / ____ <div style="display: flex; justify-content: space-between; font-size: small;"> Print Name Date </div> <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> Rank Shield # Signature </div>
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SECTION - III - INFRACTION HEARING INFORMATION

Date/Time of Hearing: ____ / ____ / ____ Hrs.	<input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Dismissed (state reason below)	If guilty, penalty imposed: _____ _____ _____
---	---	---

Remarks: _____



THE FOLLOWING SECTION MUST BE COMPLETED IN THE EVENT THAT AN INFRACTION HEARING DETERMINATION OF: NOT GUILTY, DISMISSED OR GUILTY WITH A PENALTY OTHER THAN PUNITIVE SEGREGATION HAS BEEN RENDERED.

Date/Time Pre-Hearing Detention lifted: ____ / ____ / ____ Hrs.	Transferred to: _____
---	-----------------------

Prepared By: _____ / ____ / ____ <div style="display: flex; justify-content: space-between; font-size: small;"> Print Name Date </div> <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> Rank Shield # Signature </div>	Tour Commander: _____ / ____ / ____ <div style="display: flex; justify-content: space-between; font-size: small;"> Print Name Date </div> <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> Rank Shield # Signature </div>
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DISTRIBUTION:	ORIGINAL - DEPUTY WARDEN OF SECURITY ONE (1) COPY - ASSISTANT CHIEF OF SECURITY ONE (1) COPY - OPERATIONS SECURITY INTELLIGENCE UNIT (OSIU) ONE (1) COPY - INMATE'S LEGAL FOLDER
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ATTACHMENT B

	CORRECTION DEPARTMENT CITY OF NEW YORK	
PRE-HEARING DETENTION LOCK-DOWN CLEARANCE REPORT		Form: 4501B Rev.: 08/15 Ref.: Dir. #4501R-C

SECTION I - TO BE COMPLETED BY TOUR COMMANDER

A) To: Mental Health Unit Chief, _____ Facility _____

B) Inmate Information:

Last Name: _____ First Name: _____ Book & Case #: _____

NYSID #: _____ Facility: _____ Housing Area #: _____

C) The above named inmate has been identified for Pre-Hearing Detention (PHD) and has been charged with violation of institutional or departmental rules:

- ♦ An I.I.S. inquiry indicated that the inmate is known to Mental Health. ☐
- ♦ The pending lockdown of the inmate into PHD is less than five (5) days of the inmate's date of admission into DOC custody ☐

Please submit a summary of your findings and recommendations regarding the inmate's placement in Lock-down status as well as for the disposition of the disciplinary hearing to the Tour Commander.

D) Prepared by: _____ / /

Print Name	Signature	Rank/Title	Shield/ID #	Date
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SECTION II - TO BE COMPLETED BY MENTAL HEALTH STAFF

A) Based on Mental Health staff review, the inmate:

☐ Is known to Mental Health and may be placed in lock-down status in:

☐ A Punitive Segregation Unit ☐ A Restricted Housing Unit (RHU)

☐ Is to be committed to a psychiatric hospital.

☐ Is known to Mental Health staff and may not be placed in lock-down status.

B) Recommendations to Adjudication Captain:

1. ☐ Suspend disciplinary hearing until ____ / ____ / ____ pending further evaluation of this inmate's mental status.
(May not exceed seven (7) days from date of notification by DOC staff).
2. Proceed with disciplinary process, but take the following precautions:
 - ☐ If found guilty, inmate may only be housed in the Restricted Housing Unit (RHU).
 - ☐ Other: _____
3. ☐ A representative of the Mental Health Staff wishes to attend the hearing.
4. ☐ Proceed with disciplinary process. No special precautions are required.

C) Additional Comments:

D) Prepared by: _____ / /

Print Name	Signature	Date
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Distribution:

Original: Punitive Segregation Facility

Copies: Deputy Warden for Security (Facility of occurrence)



Operations Security Intelligence Unit (OSIU)

Adjudication Captain

Inmate's Legal Folder

Mental Health Office

ATTACHMENT C

	CORRECTION DEPARTMENT CITY OF NEW YORK	
MENTAL HEALTH REVIEW FOR PUNITIVE SEGREGATION HOUSING		Form: MHR-1R Eff.: 03/14 Ref.: Dir. #4601R-C

SECTION I - TO BE COMPLETED BY HEARING OFFICER

A) Inmate Information:

Last Name: _____ First Name: _____

Book & Case #: _____ NYSID #: _____ Facility: _____

Housing Area: _____ DOC Admission Date: _____ / _____ / _____

B) Infraction Information:

Hearing Date: _____ / _____ / _____ Charge(s): _____ Disposition Date: _____ / _____ / _____

Disposition: _____ PSEG Type: _____
 (Indicate amount of Punitive Segregation time)

C) Special Instructions: Check off appropriate box.
 Submit form to the Clinic captain if either statement #1 or #2 is checked off.
 Submit form to the Deputy Warden for Security if statement #3 is checked off.

1. IIS inquiry indicates that inmate is known to Mental Health ("M" follows inmate's Book and Case number). ☐

2. Date of infraction disposition is less than five (5) days of the inmate's date of admission into DOC. ☐

3. IIS inquiry DOES NOT indicate the inmate is known to Mental Health (No "M" follows Inmate's Book and Case number) and the date of the infraction is five (5) days or more since the inmate has been admitted into DOC custody. ☐

D) Name of Hearing Officer:

Prepared by: _____

Print Name	Signature	Rank/Title	Shield/ID #	Date
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SECTION II - TO BE COMPLETED BY MENTAL HEALTH STAFF

A) Based on Mental Health staff review, the inmate:

☐ Is known to Mental Health and may be placed in lock-down status in:

☐ A Punitive Segregation Unit ☐ The Restricted Housing Unit (RHU)

☐ Is known to Mental Health staff and may not be placed in lock-down status.

B) Additional Comments:

C) Name of Mental health staff conducting the review:

Print Name	Signature	Title	Date of Review	Hours
			Time of Review	

SECTION III - FACILITY REVIEW



Signature of Deputy Warden for Security	Print Name	Date of Review
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Distribution:

Original: Movement Officer (If cleared for Punitive Segregation)

Copies: Inmate's Legal Folder
 Deputy Warden for Security
 Mental Health Office

ATTACHMENT D

	CORRECTION DEPARTMENT CITY OF NEW YORK	
NOTICE OF PRE-HEARING DETENTION		Form: 6500C Eff. : 08/04/16 Ref. : Dir. #6500R-C
SECTION I - INMATE INFORMATION		
Last Name:	First Name:	Infraction #:
Book & Case #:	NYSID #:	
Reason for placement:		
Prepared by: _____ <div style="display: flex; justify-content: space-between; font-size: x-small;"> Print Name, Rank and Shield # Signature Date </div>		
Tour Commander: _____ <div style="display: flex; justify-content: space-between; font-size: x-small;"> Print Name, Rank and Shield # Signature Facility Date </div>		
SECTION II - SERVICE OF NOTICE		
You are being placed in Pre-Hearing Detention housing, based on the belief that you have committed a serious violation of an institutional or Departmental rule(s). In the event that an infraction hearing cannot be completed within three (3) business days, you will receive a hearing to determine housing that is suitable for your placement. The three (3) business days may be extended an additional three (3) business days at the discretion of the Adjudication Captain.		
If, at the conclusion of any inmate disciplinary due process hearing you are found guilty of violating one or more of the Departmental rules outlined in the inmate rule book and the penalty imposed is or includes a definite period of punitive segregation time, all time spent in the Pre-Hearing Detention housing will be credited to the punitive segregation time imposed. You may respond to this notice by writing directly to the Warden of the facility in which you are housed.		
You have the following rights at the hearing:		
<ol style="list-style-type: none"> 1. Right to appear personally, unless you waive your right to appear, refuse to attend the hearing or appear at the hearing and become disruptive. 2. Right to make statements. If you choose to remain silent, your silence cannot be used against you. If you make a statement, such statement cannot be used in a subsequent criminal trial unless you have been given a Miranda Warning and then voluntarily testify. 3. Right to present material evidence. 4. Right to present witnesses. 5. Right to the assistance of a Hearing Facilitator. 6. Right to an interpreter if you cannot communicate well enough in English. 7. Right to appeal. 		
Inmate Statement:		
I certify that I received a copy of this notice.	Signature of Inmate: _____	Date: _____
Served by (Print Name, Rank and Shield #): _____		Signature of Server: _____
Distribution: Original - Adjudication Captain Copy - Deputy Warden for Security - Operations Security Intelligence Unit - OSIU - Inmate Legal Folder - Inmate		